

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
COLUMBIA DIVISION

JASON KIRK, )  
                  )  
Plaintiff,     )  
                  )  
v.               ) NO. 1:16-cv-00031  
                  ) CHIEF JUDGE CRENSHAW  
CORRECTION CORPORATION OF )  
AMERICA, *et al.*,     )  
                  )  
Defendants.    )

**ORDER**

Pending before the Court is a Report and Recommendation of the Magistrate Judge (Doc. No. 162), to which Plaintiff filed timely objections (Doc. No. 165). The Court has reviewed the Report and Recommendation, Plaintiff's objections, and conducted a de novo review of the record. Plaintiff argues that Magistrate Judge Brown erred in Section II.D. of his Report and Recommendation by misunderstanding the Tennessee Department of Correction grievance process. (Doc. No. 165.) However, Judge Brown correctly cited the grievance process found that Plaintiff did not move any of his grievances to the next level after having not received a response to them in the time allotted under the Tennessee Department of Correction Policy. (Doc. No. 162 at 11-12.) Accordingly, Plaintiff did not exhaust his administrative remedies, and his objections are **OVERRULED**. The Report and Recommendation is **ADOPTED**.

For the foregoing reasons, Plaintiff's Motion for Reconsideration (Doc. No. 128) is **DENIED**.

IT IS SO ORDERED.

  
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WAVERLY D. CRENSHAW, JR.  
CHIEF UNITED STATES DISTRICT JUDGE